

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:18-CV-623-GCM**

|                                   |   |  |
|-----------------------------------|---|--|
| MICHELLE FAIRCHILD, individually  | ) | <b>ORDER GRANTING PRIMERICA'S<br/>MOTION FOR DISCHARGE</b> |
| and as Executrix of the Estate of | ) |  |
| JEFFREY FAIRCHILD,                | ) |  |
| Plaintiffs,                       | ) |  |
| v.                                | ) |  |
| DANIEL JAMES FAIRCHILD and        | ) | <b>ORDER GRANTING PRIMERICA'S<br/>MOTION FOR DISCHARGE</b> |
| PRIMERICA LIFE INSURANCE          | ) |  |
| COMPANY,                          | ) |  |
| Defendants.                       | ) |  |

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THIS MATTER having come before the Court on Interpleader Primerica Life Insurance Company (“Primerica”) Motion for Discharge (ECF No. 45), having considered Primerica’s motion and the record, GRANTS Primerica’s Motion.

The Court finds that (1) Primerica properly invoked interpleader and it has jurisdiction over the suit; (2) a single fund is at issue; (3) there are adverse claimants to the fund; (4) the stakeholder is actually threatened with multiple liability; and (5) equitable concerns prevent the use of interpleader. The Court further finds that Primerica has deposited the funds at issue with the Court and is entitled to be discharged from this action pursuant to 28 U.S.C. § 2361.

THERFORE, it is hereby ORDERED, ADJUDGED AND DECREED that:

- (1) Primerica is dismissed from this action;
- (2) Primerica is discharged from any further liability to Michelle Fairchild, the Fairchild Estate and Daniel Fairchild; and
- (3) Michelle Fairchild, the Fairchild Estate and Daniel Fairchild, along with their agents, attorneys, assignees, are permanently enjoined from instituting, maintaining or prosecuting any suit at law or equity or any action of any kind

against Primerica and/or its agents with respect to the Policy, the Death Benefit, the Premium Refund and/or any matter related thereto.

Signed: March 9, 2021



Graham C. Mullen  
United States District Judge

